

LEE DAVID KLEIN, ESQ
ATTORNEY AT LAW
11 MARKET STREET, SUITE 204
POUGHKEEPSIE, NEW YORK 12601

TEL: (845) 454-9200
FAX: (845) 454-6612
EMAIL: LKLEIN@LKLEIN-LAW.COM

MEMBER NY AND CT BAR

THIS FIRM DOES NOT ACCEPT
SERVICE BY FACSIMILE TRANSMISSION

SUSAN SAMMUT, LEGAL ASSISTANT

May 29, 2008

MEMO ENDORSED

*Application Granted
As Ordered
Charles L. Briant
6/2/08 USDC*

VIA FACSIMILE TO: 914-390-4085
AND REGULAR MAIL

Hon. Charles L. Briant
United States District Judge
United States District Court, Southern District of New York
United States Courthouse
300 Quarropas Street, Room 633
White Plains, New York 10601-4150
Attn: Ms. Alice Cama, Deputy Clerk

Re: Eric K. Merring v. the Town of Tuxedo, New York, the Town of Tuxedo
Police Department, Town of Tuxedo Police Officer Anthony Delia,
Shield Number 24, Town of Tuxedo Police Sergeant Patrick Welsh,
Shield Number 17
United States District Court, Southern District of New York
Index Number: 07CV10381
Motion Return Date: June 20, 2008, at 10:00 a.m.

Dear Ms. Cama:

I represent the plaintiff in connection with the above-referenced matter, in which defendants' Motion is returnable as above referenced.

This correspondence will serve to confirm your telephone conversation with my Legal Assistant, Suzy, on May 29, 2008, wherein my request for an adjournment of the return date, has been granted, with consent from John J. Walsh, Esq., attorney for defendants, to July 18, 2008, at

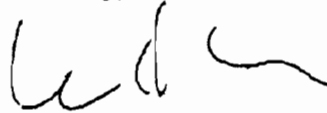
Hon. Charles L. Brieant
United States District Judge
United States District Court, Southern District of New York
United States Courthouse
Attn: Ms. Alice Cama, Deputy Clerk
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10:00 a.m., for oral argument, with plaintiff's opposition papers to be filed and served no later than July 7th, and defendants' reply papers to be filed and served no later than July 14th.

The new Motion return date is Friday, July 18, 2008, at 10:00 a.m.

Thank you for your assistance in this matter.

Sincerely,



Lee David Klein

LDK:ss

cc: John Walsh, Esq. (via facsimile & regular mail)
Client